

Mar-18-04 17:14 From-LAHIVE & COCKFIELD, LLP

6177424214

T-521 P.01/20 F-909

**LAHIVE
&
COCKFIELD
LLP**

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GHULIO A. DIACONTI, JR.
ELIZABETH A. HANLEY
AMY BAKER MANDRACOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DMANN FORAN SMITH
DEBRA J. MILASINIC, Ph.D.
WILLIAM A. SCOFIELD, JR.
SIBILEY P. REPPERT
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER
MEGAN E. WILLIAMS, Ph.D.

LISA DIROCCO FYNER
MATHAWAY P. RUSSELL
MARIA LACCOOTRUS ZAGNARAKIS, Ph.D.
MERIDETH C. ARNOLD
DANIELLE L. HERRITT
EUIHOON LEE
MANEESH GULATI
CYNTHIA M. SOROS
PETER W. DINI, Ph.D.

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMAH LYNCH
JEANNE M. DIORIGIO
CYNTHIA L. KANIK, Ph.D.
JOHN D. LANZA

PATENT AGENTS
THEODORE R. WEST
JONATHAN M. SPARKS, Ph.D.
ANDRINA WILLIAMS ZINK
CRISTIN E. HOWLEY, Ph.D.
JILL ANN MELLO, Ph.D.

TECHNICAL SPECIALISTS
CATHERINE M. BISHOP
JACOB G. WEINTRAUB
DEBORAH L. HAGLE, Ph.D.
ANNE JACQUELINE WIZEMAN, Ph.D.
BRIAN C. TRINQUE, Ph.D.
CHRISTOPHER R. COWLES, Ph.D.

* Admitted in TX only
** Admitted in CT only

Facsimile Cover Sheet

To: Kathleen M. Kerr
Company: U.S. Patent and Trademark Office
Location: Alexandria, Virginia
Phone: (571) 272-0931
Fax: (571) 273-0931

From: Lisa M. DiRocco, Esq.
Phone: (617) 227-7400
Fax: (617) 742-4214
Case No.: BGI-126CP

Date: 03/18/04

Sent By:

**Pages including this
cover page:** 20

Message: Further to our discussion, attached please find a copy of an Amendment and Response which was filed on February 17, 2004 for the above-referenced application. Also attached is a postcard, receipt date stamped by the PTO on February 17, 2004.

Lisa M. DiRocco
Lisa M. DiRocco, Esq.

The documents transmitted by this facsimile are intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us at the above address via the U.S. Postal Service. Thank you

Mar-18-04 17:14

From-LAHIVE & COCKFIELD, LLP

6177424214

T-521 P.02/20 F-909

Atty Docket No.: BGJ-126CP

Inventor: Markus Pompejus *et al*

Application No.: 09/602740

Filing Date: June 23, 2000

Title:

Polynucleotides Encoding A 6-Phosphogluconolactonase Polypeptide From *Corynebacterium glutamicum*

Documents Filed:

Transmittal (1 page)

Fee Transmittal (1 page, in duplicate)

Amendment and Response (11 pages)

Table 1. Genes in the Application (REPLACEMENT) (1 page)

Table 1. Genes in the Application (MARKED-UP VERSION) (1 page)

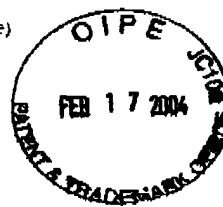
Petition for Extension of Time (Seven Months)(1 page, in duplicate)

Certificate of Mailing Under 37 CFR 1.10

Return Receipt Postcard

Via: Express Mail: Airbill No EV 355 388 322 US

Sender's Initials: LMD/EAH/jc



Date: February 17, 2004

PTO/SB/21 (08-03)
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE
Approved for use through 07/31/2006 OMB 0651-0031
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h2 style="margin: 0;">TRANSMITTAL FORM</h2> <p style="font-size: small; margin: 0;">(to be used for all correspondence after initial filing)</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">Application Number</td><td style="padding: 2px;">09/602740-Conf. #1652</td></tr> <tr><td style="padding: 2px;">Filing Date</td><td style="padding: 2px;">June 23, 2000</td></tr> <tr><td style="padding: 2px;">First Named Inventor</td><td style="padding: 2px;">Markus Pompejus</td></tr> <tr><td style="padding: 2px;">Art Unit</td><td style="padding: 2px;">1632</td></tr> <tr><td style="padding: 2px;">Examiner Name</td><td style="padding: 2px;">K. Kerr</td></tr> <tr><td style="padding: 2px;">Attorney Docket Number</td><td style="padding: 2px;">BGI-126CP</td></tr> </table>	Application Number	09/602740-Conf. #1652	Filing Date	June 23, 2000	First Named Inventor	Markus Pompejus	Art Unit	1632	Examiner Name	K. Kerr	Attorney Docket Number	BGI-126CP
Application Number	09/602740-Conf. #1652													
Filing Date	June 23, 2000													
First Named Inventor	Markus Pompejus													
Art Unit	1632													
Examiner Name	K. Kerr													
Attorney Docket Number	BGI-126CP													
Total Number of Pages in This Submission	1													

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <div style="font-size: x-small;">Under 37 CFR 1.10 Under 37 CFR</div>	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div>	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="margin-top: 5px;">Postcard</div>
<div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	LAHIVE & COCKFIELD, LLP Lisa M. DiRocco - 51,619
Signature	
Date	February 17, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 356 388 322 U.S., in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below

Dated February 17, 2004 Signature (Lisa M. DiRocco)

PTO/SB/22 (08-03)
Approved for use through 7/31/2006 OMB 0451-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket No. (Optional) BG-126CP
In re Application of <u>Markus Pompejus et al.</u>		
Application Number <u>09/602740-Conf #1632</u>		Filed <u>June 23, 2000</u>
For <u>Polynucleotides Encoding A 6-Phosphogluconolactonase Polypeptide From <i>Corynebacterium glutamicum</i></u>		
Art Unit <u>1652</u>	Examiner <u>K Kerr</u>	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____
<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ <u>2,010.00</u>

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____

☐ A check in the amount of the fee is enclosed

☐ Payment by credit card Form PTO-2038 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 12-0080

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor

☐ assignee of record of the entire interest. See 37 CFR 3.71
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☐ attorney or agent of record. Registration Number _____

☒ attorney or agent under 37 CFR 1.34(a)
Registration number if acting under 37 CFR 1.34(a) 537619

February 17, 2004
Date

(617) 227-7400
Telephone Number

Lisa M. DiRocco
Signature

Lisa M. DiRocco
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) is required. Submit multiple forms if more than one signature is required. See below.

☐ Total of 1 forms are submitted.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 355 388 322 U.S. in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 17, 2004

Signature

(Lisa M. DiRocco)

